UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 JUL 29 AM 8:21
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

NOTICE OF DOCUMENT DISCREPANCIES

TO: ☐ U. S. DISTRICT JUDGE / ☑ U. S. MAGISTRATE JUDGE Porter

FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 7/18/2008

CASE NO.: 08cv1127 W (POR) DOCUMENT FILED BY: Petitioner

CASE TITLE: Simmons v. Davis

DOCUMENT ENTITLED: Miscellaneous Original Documents

Upon the submission of the attached document(s), the following discrepancies are noted:

✓	*Local Rule*	*Discrepancy*
☐	5.1	Missing time and date on motion and/or supporting documentation
☐	5.3	Document illegible or submitted on thermal facsimile paper
☐	**5.4**	**Document not filed electronically. Notice of Noncompliance already issued.**
☐	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
☐	7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
☐	7.1 or 47.1	Briefs or memoranda exceed length restrictions
☐	7.1	Missing table of contents
☐	15.1	Amended pleading not complete in itself
☐	30.1	Depositions not accepted absent a court order
X		**Supplemental documents require court order**
☐		Default Judgment in sum certain includes calculated interest
☒		OTHER: There is no indication of what these documents are or any request as to what the Court should do with them.

Date forwarded: 7/21/2008

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

☐ The document is to be filed nunc pro tunc to date received.

☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: POR

Dated: 7/23/08

By: [signature]

cc: All Parties

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the SECOND Level

REJECTED

July 9, 2008

SIMMONS, E96088
FB0500000000246L

Log Number: CAL-B-
(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

This appeal constitutes an abuse of the appeal process pursuant to CCR 3084.4. Refusal to interview or cooperate with reviewer shall result in cancellation of the appeal per CCR 3084.4(d).

You were informed on June 19, 2008 that the CDC form 1824 ADA appeal form is not for the purpose you have intended it is only for ADA issues. The CDC form 602 that you have attach is unclear. You have also attached an RVR log number 03-08-B29 with no request as it relates to the RVR. You have further included previous screening forms relating to previous appeals, CDC form 840, a Matrix, and a memorandum as it relates to Cell Standards. Do not resubmit these documents or the originals will be retained by the appeal office and a letter of Appeal Abuse will be issued to you.

D Edwards

Appeals Coordinator
Calipatria State Prison

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE